

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:
EASTERN FARMS, INC.,
d/b/a DELMONICO GOURMET FOOD
MARKET,

Chapter 11
Case No. 10-14150(AJG)

Debtor.

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**ORDER AUTHORIZING RETENTION OF PICK & ZABICKI LLP
NUNC PRO TUNC, TO JULY 30, 2010, AS COUNSEL TO THE DEBTOR**

Upon the application, dated August 19, 2010 (the "Application"), of Eastern Farms, Inc. d/b/a Delmonico Gourmet Food Market, the debtor and debtor-in-possession herein (the "Debtor"), for an Order, pursuant to §327(a) of title 11 of the United States Code (the "Bankruptcy Code") and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), authorizing the retention of Pick & Zabicki LLP ("P&Z") as counsel to the Debtor, *nunc pro tunc* to July 30, 2010; and upon the affidavit of Douglas J. Pick, sworn to on August 19, 2010; and the supplemental affidavit of Douglas J. Pick, sworn to on August 30, 2010; and the Court being satisfied that (i) the employment of P&Z is necessary and in the best interests of the Debtor, his estate, and his creditors and equity holders, (ii) P&Z does not have or represent any interest adverse to the Debtor or his estate, and (iii) P&Z is a "disinterested person" as that term is defined in §101(14) of the Bankruptcy Code; and the Court having jurisdiction to consider the Application and the relief requested therein in accordance with 28 U.S.C. §§157 and 1334 and the "Standing Order of Referral of Cases to Bankruptcy Court Judges", dated July 10, 1984 (Ward, Acting C.J.); and consideration of the Application and the relief requested therein being a core proceeding pursuant to 28 U.S.C. §157(b); and venue being proper before this Court pursuant to 28 U.S.C. §1409; and good and sufficient cause appearing for the relief sought by the Application; and after due deliberation

thereon; it is

ORDERED, pursuant to §327(a) of the Bankruptcy Code and Bankruptcy Rule 2014, that the Debtor is hereby authorized to retain P&Z as his counsel to the Debtor, *nunc pro tunc* to July 30, 2010; and it is further

ORDERED, that P&Z shall apply for compensation in accordance with the procedures set forth in §§330 and 331 of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, applicable Local Bankruptcy Rules and the United States Trustee's Guidelines for Fees and Disbursements for Professionals in Southern District of New York Bankruptcy Cases; and it is further

ORDERED, that P&Z will file and serve a written notice with the United States Bankruptcy Court, the Debtor, and the Office for the United States Trustee of any increase in P&Z's hourly rate of any member, associate and/or paralegal associated with the firm of Pick & Zabicki LLP who will incur billable time in this case.

Dated: New York, New York
September 7, 2010

s/Arthur J. Gonzalez
HONORABLE ARTHUR J. GONZALEZ
CHIEF UNITED STATES BANKRUPTCY JUDGE

**NO OBJECTION TO ENTRY
OF THE FOREGOING ORDER:
OFFICE OF THE U.S. TRUSTEE**

By: **/s/ Greg M. Zipes, Esq.**
Trial Attorney